**ADMINISTRATIVE APPROVAL PROCESS ENCROACHMENT PERMIT APPLICATION**

Departments of Public Works and Community Development, City of Richmond, VA

APPLY TO: DIVISION OF PERMITS AND INSPECTIONS – ROOM 110 CITY HALL

APPLICATION FEE: $300 NON-REFUNDABLE

Date: __________ No. pages: _____ No. Encroachments: _____ Application No. __________

Encroachment Address:

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**FOR CITY USE ONLY**

Total Encroachment Area: ______ sq ft ______ lin ft
Overlap Area: ______ sq ft ______ lin ft
Total Assessed Area: ______ sq ft ______ lin ft
Is Insurance Attached? Yes / No

**NOTE:** ENCROACHMENT LIABILITY INSURANCE, SHOWING PERMIT APPLICATION NUMBER, PROVIDED BY AND NAMING ENCROACHMENT PROPERTY OWNER AS “INSURED” shall be submitted to Surveys - Room 600 - City Hall no later than 15 working days after application submission to Permits - Room 110 - City Hall. In the event the insurance certificate is not received within 15 working days after the submittal, or lapses at any time, the application shall become null and void and the applicant will be required to submit a new application and $300 fee for approval/authorization. (Insurance limits enabled by Ord. 2005-49-122 adopted 06.13.05)

CIRCLE APPROPRIATE WORDS / FILL IN BLANKS WHERE APPLICABLE:

**UDC / CAR Required?** Yes / No  Planning Commission Required? Yes / No  Project No.

Encroachment No. 1  Existing or Proposed -- Meets Building Code Requirement? Yes / No

Type: Awning, Canopy, Conduit, Cornice, Door, Downspout, Eaves, Façade, Fence, Fiber Optic, Footing, Gutter, Landscaping, Lights, Overhang, Sign, Trim, Wall, Other:

Located Along: N, S, E, W line of:

Being: ______ ft from N, S, E, W line of:

Extends: ______ ft into right of way  Length: ______  Distance from existing grade to bottom of encroachment: ______  Sidewalk Width: ______  Encroachment Area: ______ sq or lin ft

Encroachment No. 2  Existing or Proposed -- Meets Building Code Requirement? Yes / No

Type: Awning, Canopy, Conduit, Cornice, Door, Downspout, Eaves, Façade, Fence, Fiber Optic, Footing, Gutter, Landscaping, Lights, Overhang, Sign, Trim, Wall, Other:

Located Along: N, S, E, W line of:

Being: ______ ft from N, S, E, W line of:

Extends: ______ ft into right of way  Length: ______  Distance from existing grade to bottom of encroachment: ______  Sidewalk Width: ______  Encroachment Area: ______ sq or lin ft

**BELOW THIS LINE FOR CITY USE ONLY**

Community Development Approvals By Initials:

Permits & Building Code Compliance: ______ Date: ______
Zoning & Building Code Compliance: ______ Date: ______
UDC: ______ Date: ______  CAR: ______ Date: ______
Planning Commission: ______ Date: ______
Comments: ______

Public Works Approvals By Initials:

Date Received: ______  Block/Project No.: ______
Surveys by: ______  Date Received: ______
Comments: ______

Special Conditions Attached: YES __ pages  NO
(i.e. in addition to conditions and requirements noted on application)

APPROVAL GRANTED: YES __ NO __ (Council Approval Process Required)

**COPY TO:** Public Works, Comm. Dev., Assessor, Applicant

Director of Public Works (or designee) ______ Date ______

*NOTE: See “Encroachment Approval Conditions” on page 2*

**CONTINUED: i.e. THE FOLLOWING PAGE (2) MUST ACCOMPANY THIS APPLICATION**

Page 1 of ______

Last Amended: 12/3/12
Applicant must attach a survey plat or plan (TO SCALE) illustrating all details of encroachment items per “Guidelines”, to include: length, height, width, extent into right-of-way, a dimension to the closest side-street right-of-way, width of sidewalk, elevation above sidewalk, etc. Photos preferred and may be required with application. PRINT EXACT TITLE SHOWN ON ATTACHED PLAT/PLAN

——— Plat/Plan by: ———— Scale: ——— Date: ———

Encroachment No. 3 Existing or Proposed -- Meets Building Code Requirement? Yes or No

Type: Awning, Canopy, Conduit, Cornice, Door, Downspout, Eaves, Façade, Fence, Fiber Optic, Footing, Gutter, Landscaping, Lights, Overhang, Sign, Trim, Wall, Other:

Encroachment is: Exposed, Overhead, Underground, Sidewalk, Other:

Located Along: N, S, E, W line of:

Being: _______ ft from N, S, E, W line of:

Extends: _______ ft into right of way Length: _______ Distance from existing grade to bottom of encroachment: _______ Sidewalk Width: _______ Encroachment Area: _______ sq or lin ft

*Encroachment Approval Conditions including, but not limited to, the following:

1. Applicant/owner shall satisfy all requirements, to include liability insurance requirements (i.e. submit maintain/update for life of encroachment.

2. The Licensee, on the Licensee’s own behalf and on behalf of any successor or assign, shall acknowledge and assume all responsibility for the permitted use of the right of way and the installation, construction, maintenance, repair, operation and removal of the encroachments, which shall be undertaken without risk or liability to the City. Upon approval and/or authorization for the encroachment, the owner, his heirs, devisees, successors and assigns shall agree to indemnify, keep and hold the City free and harmless from liability (i.e. liability insurance in City's name) on account of injury or damage to persons or property growing out of or directly or indirectly resulting from such encroachment or other use for which the permit is sought, and the maintenance, operation, construction, and removal thereof: and if any suit or proceeding shall be brought against the City, at law or in equity, either independently or jointly with such owner on account thereof, the owner will defend the City in any such suit or proceedings without expense to the City; and in the event of a final judgment or decree being obtained against the City, either independently or jointly with the owner, then the owner will pay such judgment or comply with such decree with all costs and expenses of whatsoever nature and hold the City harmless.

3. The Director of Public Works may issue a written notice at any time requesting the encroachment to be removed, thereby revoking the authorization for the encroachment. Upon such notice, the Licensee, or any successor or assign: shall be responsible for the removal of the encroachment; shall bear all costs directly or indirectly associated with the removal; and, shall be responsible for reimbursing the City for all associated removal costs in the event the Licensee, or any successor or assign, fails to remove the encroachment by the notice deadline and the City chooses to remove the encroachment with City forces. Removal bonds shall be required in accordance with the City Code.

4. All costs incident to encroachment to be borne by applicant, including, but not limited to, utilities realignment, street sign replacement, etc., as directed by City Agencies.

5. It shall be the sole responsibility of the applicant to provide the Department of Community Development, Division of Permits and Services (Room 110 City Hall) written evidence that all conditions of the Administrative Approval Process Encroachment Application have been satisfied. Conditions and requirements shall be satisfied at all times from Director’s, or designee’s, signature or the application/approval becomes null and void.

6. The applicant/owner shall bear all costs for repair, relocation, or replacement of the encroachments in the event of damage or movement due to, but not limited to, vehicular travel, alterations or failure of City utilities, or due to the public’s use of the right-of-way.

7. Applicant shall secure proper permits (i.e. Work in Streets Permit required prior to any installation of encroachment), and the work shall be performed in a manner satisfactory to the Directors of Public Works and Community Development.

8. Applicant shall satisfy all other conditions as attached to this application, as contained in the City Charter, and as recommended by the City administration. Upon signing this permit application, the applicant agrees to abide by all applicable provisions of Chapter 90, et. seq. of the City of Richmond, Va. Code and/or as authorized by the building code.

9. Underground fiber optic cable (associated conduit, etc.) or telecommunication encroachments must meet and satisfy fiber optic cable installation policies, requirements of the Division of Permits and Inspections in Public Works, and any franchise requirements (See Code 90-73, 96, 97, 98).

10. Assessor Area Tax of $0.25 (25 cents) assessed per square/linear foot of encroachment area and collected annually by Assessor’s Office.

Applicant’s Name (Print): ___________________________ Signature: ___________________________

Phone/EMail (Print): ___________________________ Date: ___________________________

Owner’s Business/Org Name (Print): ___________________________

Owner’s Name & Title (Print): ___________________________ Signature: ___________________________

Owner Rep’s Name & Title (Print): ___________________________ Signature: ___________________________

Owner’s Mailing Address (Print): ___________________________

Date: ___________________________

Last Amended: 12/3/12

Application No. ___________________________ Page 2 of ____
Additional Encroachment Page for Application No: ______________

Encroachment No. __________ Existing / Proposed -- Meets Building Code Requirement?  Yes / No
Type: Awning, Canopy, Conduit, Cornice, Door, Downspout, Eaves, Façade, Fence, Fiber Optic, Footing,
Gutter, Landscaping, Lights, Overhang, Sign, Trim, Wall, Other __________________

Encroachment is: Exposed, Overhead, Underground, Sidewalk, Other ____________________________

Encroachment is located along: N, S, E, W line of: ____________________________ &
extends: ___________ feet into right of way  Length: ___________ Distance from existing grade to
bottom of encroachment: ___________ Sidewalk Width: ___________

Encroachment Area: ___________ sq or lin ft.

Encroachment No. __________ Existing / Proposed -- Meets Building Code Requirement?  Yes / No
Type: Awning, Canopy, Conduit, Cornice, Door, Downspout, Eaves, Façade, Fence, Fiber Optic, Footing,
Gutter, Landscaping, Lights, Overhang, Sign, Trim, Wall, Other __________________

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Gutter, Landscaping, Lights, Overhang, Sign, Trim, Wall, Other __________________

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Encroachment Area: ___________ sq or lin ft.

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